

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

UNITED STATES OF AMERICA	)	
	)	
vs.	)	CASE NOS.
	)	4:18-CR-00274-LGW-BWC-3
HIGINIO PEREZ-BRAVO,	)	
	)	
_____ Defendant.	)	

JURY TRIAL  
BEFORE THE HONORABLE LISA GODBEY WOOD  
April 14, 2022; 9:07 a.m.  
Brunswick, Georgia

APPEARANCES:

For the Government:	TANIA D. GROOVER, Esq. CHRISTOPHER HOWARD, Esq. U. S. Attorney's Office P. O. Box 8970 Savannah, Georgia 31412 (912) 201-2552 <a href="mailto:tania.groover@usdoj.gov">tania.groover@usdoj.gov</a> <a href="mailto:christopher.howard@usdoj.gov">christopher.howard@usdoj.gov</a>
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For the Defendant:	ROBERT P. PHILLIPS, III, Esq. Phillips, Carson & Phillips 420 West Broughton Street 2nd Floor Savannah, Georgia 31401 (912) 232-0081 <a href="mailto:bplaw@msn.com">bplaw@msn.com</a>
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P R O C E E D I N G S

(Call to order at 9:07 a.m.)

THE COURT: All right, counsel, I understand there may be some announcements to make; is that correct?

MS. GROOVER: That is our understanding per defense counsel.

MR. PHILLIPS: Yes, ma'am. May he be seated?

THE COURT: Are we going to be a while?

MR. PHILLIPS: It will be a few minutes.

THE COURT: Everyone, have a seat.

MR. PHILLIPS: What I was going to say, from the beginning, it's been a little difficult with me not speaking Spanish and him not speaking English, and the Government had offered early on a plea agreement, and when I got my paralegal, she was able to develop a rapport with my client, and she's been most helpful.

My client does have some still difficulty but he has begun expressing a desire to enter a plea of guilty. He has seen the evidence. We have seen it before. We have discussed it before, but it's not quite the same as seeing it in context. He has expressed to me, at the beginning of the trial, he expressed to me a desire to consider entering a plea and I wanted to go forward and let him see what the evidence was because of the lateness of the situation, but he has persisted in the last day and a half saying that he now wants to accept

1 responsibility.

2 Last night, yesterday afternoon, we met with him for a  
3 time yesterday afternoon. He expressed that firmly and I told  
4 him I wanted him to go home, go back to jail and sleep on it and  
5 make a decision this morning.

6 We came in early this morning and met with him, and he  
7 reaffirms his desire to enter, to accept the Government's plea  
8 offer, which, by the way, early on I had it translated into  
9 Spanish and then I had Ms. Vashon review that for accuracy, so  
10 he's seen it in Spanish. Ms. Vashon has gone over it with him  
11 in Spanish.

12 I'm fully confident that he understands that, based upon  
13 her representations to me, and he says he would like to change  
14 his plea from not guilty to guilty.

15 THE COURT: All right, and has that plea been extended  
16 to him to accept?

17 MS. GROOVER: It has, Your Honor. It is the same plea  
18 except we are withdrawing the third point for a timely  
19 acceptance of responsibility, so that does need to be amended,  
20 Your Honor.

21 MR. PHILLIPS: And we fully acknowledge that that's  
22 appropriate.

23 THE COURT: All right, counsel, then, of course, whether  
24 he enters into a plea agreement or not is entirely up to him and  
25 not The Court's business, but it's my understanding he does

1 intend to enter into a plea.

2 What we will do is have the jury called in right now.  
3 I'll explain to them that I have some extended housekeeping  
4 matters to take up with the attorneys and I'm going to excuse  
5 them.

6 Mr. Phillips, has he had sufficient time to look at the  
7 plea and talk about it? Can we go straight into a Rule 11  
8 proceeding?

9 MR. PHILLIPS: I think we can, Your Honor.

10 THE COURT: All right, then I will -- when we bring the  
11 jurors in, I'm going to excuse them until 10:30, and that will  
12 give us time to break briefly.

13 I need to get a copy of whatever plea agreement you're  
14 proposing and we will take up the plea immediately. We have a  
15 translator here, and when the jurors return at 10:30, if the  
16 plea does not go through, we will just go forward with the  
17 trial.

18 If it does, I will let them know what has transpired and  
19 we can excuse them at that point. If that's what happens, if  
20 the plea does go through, along with excusing the jurors, I am  
21 going to give you the opportunity, if you would like, to meet  
22 with any jurors in my chambers after they are excused, whichever  
23 ones want to stay and meet. It's an invaluable experience to  
24 talk to them about what they have seen, what their thoughts  
25 were, what your performance was, if you would like. I will give

1 you that opportunity if any jurors do want to stay behind.

2 I'm told that there is one juror, and it's Ms. Pope, who  
3 has eaten something and is fairly sick, and would there be any  
4 objection to excusing her at this point knowing that we may  
5 proceed with the trial later today?

6 We do have 14 jurors. That would leave us with 13,  
7 still one extra, but she told the marshal that she thinks she  
8 ate something and has sort of food poisoning type symptoms.

9 Any objection to excusing Ms. Pope?

10 MS. GROOVER: No objection from the Government.

11 MR. PHILLIPS: No objection, no, ma'am.

12 THE COURT: With that --

13 MS. GROOVER: Your Honor, if I may, I apologize, just  
14 briefly, with respect to our schedule, convening back at 10:30,  
15 we are still in the process of communicating this to the family  
16 to get their position on that, and that does take -- we were  
17 almost done with that, and then also we do still need to prepare  
18 the summary, but we should have that done in about five to 10  
19 minutes, Your Honor.

20 THE COURT: That will still get to us 10:30.

21 MS. GROOVER: Yes.

22 THE COURT: Let's rise for the jury.

23 (The jury enters the courtroom.)

24 THE COURT: Good morning, ladies and gentlemen.

25 SPEAKERS: Good morning.

1 THE COURT: Welcome back. As you notice we're starting  
2 a little bit late, which is not our custom. We're doing that  
3 because I have some housekeeping issues that I need to take up  
4 with the attorneys that is going to take some time, and rather  
5 than just having you sit around in the jury room, I'm going to  
6 excuse you until 10:30, so I need you to come back to your jury  
7 room in time for us to start promptly at 10:30.

8 During that break, remember all of the familiar  
9 admonitions: Don't talk about the case, don't do any research,  
10 don't make up your mind, don't consume any media about the case.

11 And I don't want you to be concerned. We're still on  
12 track to complete our service according to the time schedule  
13 that I enunciated at the beginning, so all is on track.

14 The second issue, Ms. Pope, I understand has eaten  
15 something and you're not feeling good at all. Ms. Pope, would  
16 it be your desire to be excused or do you want to try to power  
17 through?

18 JUROR POPE: I want to power through.

19 THE COURT: You want to power through?

20 JUROR POPE: Yeah, I told everybody and so everybody is  
21 comfortable.

22 THE COURT: Then all of you, if you will return at  
23 10:30. Let's rise for this jury.

24 (The jury exits the courtroom.)

25 THE COURT: Very dedicated juror. So we will begin the

1 Rule 11 at 9:30, so if you will complete your contact to the  
2 family and get a copy of that plea agreement to Ms. Sharp and we  
3 will readjourn at 9:30 to consider the plea.

4 All right, we will be in recess until that time.

5 (Recess from 9:18 a.m. to 10:40 a.m.)

6 THE COURT: So gentlemen, return to your station and  
7 let's all rise for the jury.

8 (The jury enters the courtroom.)

9 THE COURT: Ladies and gentlemen of the jury, welcome  
10 back. I have what may be surprising news for some of you, and  
11 that is apparently last night the defendant, Mr. Perez-Bravo,  
12 changed his mind and decided to enter a plea of guilty to Count  
13 8 that was pending in front of you, and the matters that I took  
14 up with the attorneys and Mr. Perez-Bravo while I excused you  
15 was an examination of Mr. Perez-Bravo to ensure that it was a  
16 knowing and voluntary plea.

17 I've conducted that examination and have just accepted  
18 his plea of guilty to Count 8. As a result, in just a moment, I  
19 can excuse you. I can excuse you with the sincere thanks of The  
20 Court.

21 What I want you to understand is that it was, in fact,  
22 your presence, your willingness and ability to serve that  
23 enabled us to reach the point that we did and I want you to go  
24 home understanding the important role that each of you served.

25 So I can excuse you with the sincere thanks of The

1 Court. In just a moment, the marshal is going to escort you  
2 back to the jury room for your last time with us. I am going to  
3 come and shake your hand and thank you for your service, and I  
4 am going to invite some of you, if you have time, to spend just  
5 a few moments with counsel in my chambers.

6 They may have questions for you about your perceptions  
7 and so forth. You don't have to stay to do that, but if you  
8 have a few moments to do that, the parties would appreciate that  
9 if possible. So let's rise for this jury.

10 (The jury exits the courtroom.)

11 THE COURT: Mr. Perez-Bravo, I will remand you back to  
12 the custody of the US Marshal, and, counsel, we will be in  
13 recess, and Ms. Sharp will let you know if there's any jurors  
14 that agree to meet with you. We will be in recess.

15 (Proceeding concluded at 10:45 a.m.)

16 CERTIFICATION

17  
18 I certify that the foregoing is a true and correct  
19 transcript of the stenographic record of the above-mentioned  
20 matter.

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05/03/2022

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Debra Gilbert, Court Reporter

Date